

To: Poy, Thomas[poy.thomas@epa.gov]; Kaiser, Steven[kaiser.steven@epa.gov]; Garypie, Catherine[garypie.catherine@epa.gov]; Chingcuanco, Leonardo[Chingcuanco.Leonardo@epa.gov]; Hassan, Jacob[hassan.jacob@epa.gov]; Fischer, Timothy[Fischer.Timothy@epa.gov]
Cc: Toney, Marcy[toney.marcy@epa.gov]; Klassman, Debra[klassman.debra@epa.gov]; Deltoral, Miguel[deltoral.miguel@epa.gov]; Bair, Rita[bair.rita@epa.gov]; Bosscher, Valerie[bosscher.valerie@epa.gov]; Chingcuanco, Leonardo[Chingcuanco.Leonardo@epa.gov]; Drexler, Timothy[drexler.timothy@epa.gov]; Pope, Janet[Pope.Janet@epa.gov]; Mitchell, James[mitchell.james@epa.gov]; Alcamo, Thomas[alcamo.thomas@epa.gov]; Rodriguez, Charles[rodriguez.charles@epa.gov]; Cannon, Phillippa[Cannon.Phillippa@epa.gov]; Haag, Daniel[Haag.Daniel@epa.gov]
From: Fulghum, Mary
Sent: Fri 4/14/2017 4:10:22 PM
Subject: FW: Comment on East Chicago environmental review decision
[7421-01 EA 030817 554161 7.pdf](#)

FYI --It appears that these issues, loosened pipe scale, soil management, and soil recontamination, that NRDC, HEC, and the NW Enviro Law Clinic have raised to the IFA (because it is providing funding for the service line replacement) are recognized and being managed by coordination efforts among EPA, Indiana and East Chicago. The service line replacement coordination meeting minutes from this past Wednesday that Steve Kaiser circulated earlier today and the draft coordination plan that is being circulated among EPA, IDEM and East Chicago both reflect that the parties are working to minimize these concerns.

The one item requested not directly covered by the coordination plan is monitoring of areas near where the LSL and Superfund work is taking place (outside Z2 and Z3) for effects.

From: Geertsma, Meleah [mailto:mgeertsma@nrdc.org]
Sent: Thursday, April 13, 2017 12:44 PM
To: Fulghum, Mary <fulghum.mary@epa.gov>
Subject: Fw: Comment on East Chicago environmental review decision

Hi Mary - I'm forwarding our recent communication with the Indiana Finance Authority over the IFA's environmental review of lead service line replacement at the Superfund site. I'm aware that Margaret Guerriero of the Superfund div sent a letter to the East Chicago Water Department regarding coordination over the line replacement two days ago, so I wanted to make sure EPA's water and Superfund teams had this background on our concerns with the categorical exclusion determination by IFA.

Best,

Meleah

Meleah Geertsma

*Senior Attorney
Midwest Program*

Natural Resources

Defense Council

20 N. Wacker Drive, Suite 1600

Chicago, IL 60606

T 312.651.7904

F 312.332.1908

mgeertsma@nrdc.org

NRDC.ORG

From: Samuel Henderson <SHenderson@hecweb.org>

Sent: Tuesday, April 4, 2017 5:15 PM

To: adouglas@ifa.in.gov

Cc: templeton@uchicago.edu; Debbie.M.Chizewer@law.northwestern.edu; Geertsma, Meleah

Subject: Comment on East Chicago environmental review decision

Dear April,

Thank you very much for your email regarding the lead service line replacement project.

We request that you provide the community with additional time to provide comments on the Indiana Finance Authority's decision, in its capacity in implementing the State Revolving Fund, that the proposed East Chicago project involving lead service line replacement does not require an environmental assessment or environmental impact statement. We are making this request due to our concerns that the decision falls short in assessing threats to the health and safety of East Chicago residents. In light of the time-sensitive nature of this project approval, we can provide comments by the close of business on Friday, April 7, 2017. In the event that you do not grant this request for opportunity to comment, we urge you to consider the following issues as you proceed.

This proposed project would be performed on the USS Lead Superfund Site, involving active removal and remediation under the National Contingency Plan. It is thus imperative that the lead service line replacement work be done in close cooperation with USEPA and with the agency's approval, as well as engagement with representatives of the impacted resident community.

Please find below two of the potential impacts of this project that we will address in further detail in our comments:

1. Dislodging of lead from the lead service line replacement: Please see the attached environmental assessment ("EA") prepared for the replacement of lead service lines in Flint, Michigan. The Flint EA raises the risk of increased lead exposure to residents due to dislodging of lead scale during work on pipes, and discusses measures to mitigate this risk. Such a discussion is missing from the IFA's decision. We want to express our concern here about the impact to residents relying on this drinking water system when lead is dislodged during the replacement process. This concern may extend beyond the residents whose service lines are being replaced to other homes in the vicinity.

2. Potential contamination/recontamination of residential properties: The team that will be performing the lead service line replacement must work in close coordination with, and seek the approval of, the USS Lead Superfund Site remedial project managers. The work will necessarily involve replacing portions of the lead service lines that sit under the streets. The soil under the streets is contaminated, but it is not part of the clean up plan selected as part of EPA's 2012 Record of Decision; the disturbance of this soil may lead to potential contamination or recontamination of the residential properties. In addition, the replacement of the lead service lines on individual properties may take place at soil depth lower than EPA's remediation efforts and at which there has not yet been any testing for contamination. We are also interested in understanding how this impacts properties that have not been designated for removal or remediation.

We look forward to hearing from you as soon as possible.

Debbie (Musiker) Chizewer
Environmental Advocacy Clinic
Bluhm Legal Clinic
Northwestern University School of Law
375 East Chicago Avenue, Chicago, IL 60611-3069
Debbie.M.Chizewer@law.northwestern.edu

Mark Templeton
Abrams Environmental Law Clinic
University of Chicago Law School
Templeton@uchicago.edu
773-702-6998

Meleah Geertsma
Senior Attorney
Natural Resources Defense Council
mgeertsma@nrdc.org
(312) 663-9900

Samuel Henderson
Staff Attorney
Hoosier Environmental Council
407 E. Lincolnway, Valparaiso, IN 46383
shenderson@hecweb.org
312-970-0844 (cell)